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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/092,611	03/08/2002	Robert G. Egnatovich JR.	4782	8649

7590 03/23/2004

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EXAMINER

SNIDER, THERESA T

ART UNIT	PAPER NUMBER
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1744

DATE MAILED: 03/23/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/092,611	Applicant(s) EGNATOVICH, ROBERT G.	
	Examiner Theresa T. Snider	Art Unit 1744	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 March 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claim 1 is rejected under 35 U.S.C. 102(b) as being clearly anticipated by McPhee.

McPhee discloses a housing having an open top and an outlet port (figs. 3-4, #15).

McPhee discloses a brush coupled to with and spanning across the housing (figs. 3-4, #13).

McPhee discloses a vacuum hose detachably securable to the outlet port (col. 1, lines 25-26).

3. Claims 1- 4, 6-7 and 10-14 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Schneider.

Schneider discloses a housing having an open top and a bottom with an outlet port (fig. 7, #13,62).

Schneider discloses a brush coupled to with and spanning across the housing (fig. 2, #50).

Schneider discloses a vacuum hose detachably securable to the outlet port (col. 7, lines 36-37).

With respect to claim 2, Schneider discloses the top having a larger lateral surface area than bottom (fig. 7, #13).

Art Unit: 1744

With respect to claim 3, Schneider discloses the housing depth sloping downwardly from the top to the bottom (fig. 7).

With respect to claim 4, Schneider discloses the top having a rectangular cross-section (fig. 6, #12).

With respect to claim 6, Schneider discloses the outlet port to one side of the top (fig. 7, #62).

With respect to claim 7, Schneider discloses the width of the brush being greater than that of a ceiling fan blade (fig. 2, #50,24b).

With respect to claim 10, Schneider discloses a portion of the brush extending downwardly within the housing (col. 3, lines 64-66).

With respect to claim 11, Schneider discloses the brush having first and second separated rows of bristles (fig. 6, #50).

With respect to claim 12, Schneider discloses the bristles of the rows being spaced apart from each other (fig. 6, #53).

With respect to claims 13-14, Schneider discloses the hose securable to the outlet port by a snug fit (col. 2, lines 52-55).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Art Unit: 1744

5. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

6. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Schneider as applied to claim 3 above, and further in view of McPhee.

Schneider discloses a similar combination however fails to disclose the outlet port centered under the open top.

McPhee discloses a combination with a housing having an open top and a bottom with an outlet port wherein the outlet port is centered under the top (fig. 3, #17). It would have been obvious to one of ordinary skill in the art to provide the centered port of McPhee in Schneider to allow the debris to have a straight path to the outlet so it does not become trapped within the housing.

7. Claims 8-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schneider.

Schneider discloses a similar combination however fails to disclose the length of the brush.

It would have been obvious to one of ordinary skill in the art to determine the most appropriate brush length in Schneider to allow for the most effective cleaning of a ceiling fan blade.

Art Unit: 1744

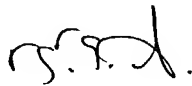
Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Linderoth, MacFarland, Yamashita and Dong disclose housings with open tops, brushes coupled thereto and an outlet port for connection to a suction source. Harris et al., Bellardini, Shadley and Cika disclose vacuum assisted fan blade cleaners.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Theresa T. Snider whose telephone number is (571) 272-1277. The examiner can normally be reached on Monday-Wednesday-Friday (6:30AM-3:00PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert J. Warden can be reached on (571) 272-1281. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



03/08/2004

Theresa T. Snider
Primary Examiner
Art Unit 1744